

CALIFORNIA'S "FOOL" LAW.

THE REQUIREMENT OF SIGNATURES TO ALL NEWSPAPER COMMENT ON LIVING OR DEAD.

THE LAW IGNORED CONTEMPTUOUSLY BY ALL THE BIG CITY NEWSPAPERS—COUNTRY EDITORS WHO MADE THEMSELVES RIDICULOUS IN OBEYING ITS PROVISIONS.

San Francisco, June 13 (Special).—No greater fiasco in legislation was ever seen than the New-Signature law, which went into effect throughout California on April 15. This law, which a pretty full digest was printed at the time which the Tribune was published, was intended to put an end to what they termed "the onslaughts in the press on men and measures of promiscuous and unscrupulous writers, and to give to the press and the people a more accurate and reliable account of the country's affairs." The law was intended to put an end to what they termed "the onslaughts in the press on men and measures of promiscuous and unscrupulous writers, and to give to the press and the people a more accurate and reliable account of the country's affairs."

NOBODY BEGINS PROCEEDINGS. Many of the country editors have called upon the framers of the law and the Governor, who signed it, to take action against the stiff-necked city journals, but thus far no one has come out into the open and begun proceedings for failure to observe the law.

The essential provision of the law was this: Every article, statement or editorial contained in any newspaper, printed or published, or any printing tends to blacken the memory of one who has died, or to impeach the honesty, integrity, virtue or reputation, or publish the natural or alleged defects of one who is alive, and whose name appears in the article, statement or editorial, must be supplemented by the true name of the writer of such article, statement or editorial, signed or printed at the end thereof.

The most vicious feature of the law is that it provides that half the fine of \$100 for failure to observe its provisions is to go to the person who begins the suit. If the law had been deemed constitutional, a score of "shysters" and blackmailers would have come forward to secure the reward, for the proof of violation of the law would be very simple, and would require no witnesses.

LEGISLATORS' FEELINGS HURT.

The men who drafted this bill and pushed it through the Legislature were H. V. Morhouse and Grove L. Johnson. Both were members of the last Legislature, and both had suffered severely at the hands of caricaturists and correspondents. They united to devise some means of muzzling the press, but the wonder is that, with their knowledge of the law, they should not have hit upon something which could be enforced. Their primary object was to compel the printing of the signature of the writer of libelous articles, or of the artist who drew libelous caricatures. In order to effect this purpose they overbore the mark and perpetrated a legislative monstrosity which has excited the derision of the whole country. Both men have records and peculiarities which lend themselves to caricature, and since the Signature law has suffered severely in print, but not in the courts.

Proponents of the leading daily newspapers of San Francisco have formed a publishers' association for mutual protection. It was the opinion of the counsel of the various members of the association that compliance with the Signature law would be equivalent to admitting that the articles signed were libelous. Hence the association was advised to ignore the law as far as possible, and to comply with it only if "pernicious activity" was shown by shyster lawyers and others eager to gain a part of the fines imposed for violation of the law, all the proprietors would be landed together as defendants in a test case. This advice proved to be good, for obedience to the absurd law would have made the columns of the large newspapers ridiculous, as the provisions of the law did not exempt ordinary local items from signature.

SOME NEWSPAPER SPECIMENS.

On April 19, the day the law went into effect, some amusing specimens of humor, conscious as well as unconscious, were presented. "The Sacramento Bee," a newspaper which is never afraid of expressing a downright opinion in vigorous English, was a "freak" paper worthy of adding to a collection of curios. The leading article was an able exposure of the absurdities of the new law, signed by Charles Kenny MacClatchy, one of the two brothers who own the paper. Then in short paragraphs, each signed with MacClatchy's full name, the law and its framers were pilloried in a hilarious style. Here are a few specimens of the first being the editor's compliments to the Governor of California, who was weak enough to make the "fool" law.

"Ah there, Henry Thompson Gage! Greetings likewise to you, Hotspur Vallant Morehouse! To you, Grave Lachrymose Johnson, the Veepin' Villain of the Valley, a royal salaam!"

To-day, dearly beloved, goes into effect a law drafted upon the basis of the State of California by a couple of escaped lunatics who, under the mistaken grace of God, somehow found sanctuary in the Legislature.

In another part of the same issue of "The Bee" all the local news items were signed, so that in reading the columns after a routine report of the Board of Aldermen or an account of a lecture one came upon such gems as this:

"The dust in the street is very annoying, and it is pretty hard to keep it out of the houses. After a while the guests will get tired of it, and then there will be no more dust in the street."

EDWARD JOHN DEVLIN.

COUNTRY EDITORS SEVERE.

No other paper openly ridiculed the law as "The Bee" did, but many country editors flatly expressed their opinions of its idiosyncrasy and signed their opinions. Here is the conclusion of an article in "The Colfax Sentinel," with the editor's signature:

"The requirements of the law are stupid and malicious. In the attempt of the lawmakers to legislate the identity of editorial writers of the metropolitan press a burden has been placed upon every publisher of the State of California."

"The law plays to the hands of the sneak and the informer. It is an example of variegated assinine stupidity, infamy and infamy. It is a law of infamy, it is rotten."

IVAN HENRY PARKER.

"The Editor of 'The Santa Cruz Sentinel,' Duncan McPherson, rejoices in the reputation of writing the most doggerel of any newspaper man in the State. He lived up to his reputation by ending a prose article on the new law with this execrable couplet, in which he coined a new word:

We, too, want to be sure,

And just signature.

"The San Francisco Banner" is evidently edited by a man whose mental development was arrested at the sophomore stage. Here is the opening of a ponderous fulmination against the law:

The signature bill, the vile spawn hatched and fathered by a gang of the most peccant noodles who ever corrupted legislation, has been ignored by the editors of the newspapers of the State. Other country editors who had been observing the law in good faith joined in this appeal to the maker of the measure, asking him to come out and bring some test suits. But Morhouse has not shown himself in the open, doubtless for the reason that he feared the ridicule that would be heaped upon him. Grove Johnson, who is regarded as one of the ablest lawyers in the State, and who helped Morhouse draft the bill, has made no effort to see that it is enforced.

THE ONLY OBEDIENT EDITOR.

Most of the California editors have dropped the signatures from their editorial and local pages. About the only man who still attempts to obey the law is Jerome A. Hart, Editor of "The Argonaut," a weekly literary paper of this city. Hart declared that he decided to obey the law as an abridgment of the right of the press to free speech, and he signed "Jahart." This includes his initials and his surname, but technically it is an evasion of the law, which provides that the full name shall be signed. Certainly this condensed signature, with only the initials, cannot be called a genuine signature.

It is probable that nothing will ever be done to enforce the California Signature law. Its only effect, if it had been obeyed, would be to give one

who had been libeled the real name of the author of the defamatory article. It gave no new advantage to one unjustly defamed by a newspaper, as the California libel law does. It would also put a premium on one of the worst of the press—the encouragement of litigation for the profit to be derived from a share in the rewards of libel suits.

COLER FIGHTS THE ALDERMEN

CONTROLLER WANTS TO COMPEL ACTION ON THE BOND ISSUE.

COUNCILMAN MCGARRY SAYS HE CAN FORCE IT THROUGH, BUT OTHERS USE DEFIANT LANGUAGE—A PRECEDENT IN THE CASE OF QUEENS COUNTY.

Controller Coler yesterday made arrangements to have John McQuade, the treasurer of the Tammany organization and a contractor in the aqueduct work for the city, make application to the Municipal Assembly for a mandamus to compel the Municipal Assembly to take ministerial action on the bond issues that have been authorized by the Board of Estimate and Apportionment, and which have been obstructed by the refusal of Councilmen or Aldermen to vote for them. Mr. McQuade will make his application on the ground that work which he performed under contract for the city, and was completed eight months ago, is still unpaid for, because of the refusal of the Municipal Assembly to pass the bond issue authorized by the Board of Estimate and Apportionment on October 31, 1898. The proceedings will be under Section No. 178 of the charter.

The Board of Aldermen adjourned immediately after opening its session yesterday afternoon, in respect to the memory of Alderman Sierke. The chamber was draped in black. The Aldermen and go in to the late home of Mr. Sierke and escort carriages to the late home of Mr. Sierke, Twenty-ninth and Fifth-avenue, where the funeral will take place at 1 p. m. on Friday. The Aldermen yesterday expected that a mandamus would be procured by Controller Coler, but at 1:30 p. m. it was learned that the Controller had decided to put off the matter until next week. There will be a long debate over the power of the courts to mandamus a legislative body, and the papers will be transmitted to the Corporation Counsel for advice. The Controller was told yesterday about several expressions of opinion regarding his move, made by members of the Board of Aldermen and Council, after both bodies had adjourned. The Controller said:

"There is going to be a fight between the Finance Department and the Municipal Assembly. It might as well come now as at any other time. Let us have the fight. The present condition of affairs is intolerable. Take the Croton water awards. At present the city is paying 6 per cent on money borrowed, whereas if the bond issue was authorized the city could sell the bonds at about 3 per cent."

"We have a precedent in the case of the Queens County Supervisor. They did something of the same kind, and were compelled to act by the courts."

Alderman Woodward said yesterday that the Aldermen would do as they pleased. The Controller was told.

That language smacks very much like the language once used by John J. McKane, said the Controller. "You know what followed."

Councilman Francis J. McGarry said that the Municipal Assembly had the right to act as they pleased on all matters, and could not be dictated to. "I will not allow the Controller to make an ass of me," he added.

The members of the Council from Manhattan, Richmond and The Bronx, except Councilman Murray, all indicated the right to act as they pleased on all matters, and could not be dictated to. "I will not allow the Controller to make an ass of me," he added.

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